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Subject: EPA Mid-Atlantic Region Headlines - Tuesday, May 19, 2020

EPA Mid-Atlantic Region Headlines

Tuesday, May 19, 2020

*** DAILY HOT LIST ***

Two states, D.C. plan to sue EPA for failing to enforce Chesapeake Bay cleanup plan

WASHINGTON POST Two states and the District of Columbia say they plan to sue the Environmental Protection Agency for failing to enforce a court-ordered agreement to dramatically lower pollution in the Chesapeake Bay, the nation's largest estuary. In a notice of intent to sue, the attorneys general of Maryland, Virginia and the District claimed Monday that EPA Administrator Andrew Wheeler stood by as New York and Pennsylvania allowed levels of pollution that violated the plan into rivers that feed into the Chesapeake. Under an agreement signed by six states in the bay watershed — also including West Virginia and Delaware — the federal agency is tasked with policing the cleanup. Before the agreement was signed in 2009, each jurisdiction committed to individual plans to limit nutrient pollution runoff from wastewater treatment facilities and farms into the watershed. Nutrient pollution from human and animal waste contributes to massive algal blooms that lower the level of oxygen in the bay and block sunlight from underwater grasses that serve as a sanctuary for marine life... "From what we can tell, the claim has no merit," Wheeler said of the intent to sue. He was on a call with reporters Monday to announce that the EPA will commit \$6 million to reduce agricultural runoff in the six bay states. Wheeler questioned the timing of the announcement, saying the Chesapeake Bay Foundation was notified Friday that the EPA intended to announce the additional funding on Monday. "I don't think that was a coincidence," Wheeler said. "I think it shows they would much rather litigate and make news sound bites than they would work on and solve the problems with the bay." The agency has 60 days to respond before the attorneys general and their partners can file claims in federal court. "The water quality in the Chesapeake Bay watershed has recently reached the highest standards in more than 30 years," Wheeler said in a statement before he addressed reporters. The statement said the focus of the funding is the "continued reduction of nitrogen from agricultural sources, one of the most difficult hurdles to overcome as we strive to make the Bay ever cleaner."...

States, Chesapeake Bay Foundation threaten to sue EPA over Bay cleanup

CHESAPEAKE BAY JOURNAL The 37-year-old Chesapeake Bay restoration effort descended into finger pointing and threats of lawsuits on Monday, as the region struggles with the likelihood that it will miss yet another cleanup deadline. Attorneys general for Maryland, Virginia and the District of Columbia joined with the Chesapeake Bay Foundation in saying they would sue the U.S. Environmental Protection Agency over its failure to force greater pollution reduction actions from Pennsylvania and New York. Both New York and Pennsylvania are far behind in meeting their

2025 Bay cleanup goals, and neither has produced plans showing how they would close that gap. The attorneys general contend that their own states have made large investments to curb pollution to the nation's largest estuary, but that the EPA needs to use its legal authority to compel their northern neighbors to do significantly more. "Maryland has engaged in heroic efforts and made huge sacrifices," said Maryland Attorney General Brian Frosh. "But this is a struggle we cannot win without the commitment of our neighbors and more importantly without the engagement of the United States Environmental Protection Agency. The EPA has flat-out walked away from that responsibility." EPA Administrator Andrew Wheeler shot back that the threatened legal action was "without merit" and that "all the states have room for improvement, and all the states need to make more progress on their commitments for 2025." Wheeler spoke at a news conference announcing the EPA's award of \$6 million in funding to support implementation of agricultural runoff controls in areas of the Bay watershed where it would have the greatest impact, with most of it — \$3.7 million — going to Pennsylvania. "We are trying to work with everyone in trying to solve the problems for the Bay while other people are out there trying to create headlines and discontent with their state partners," Wheeler said...

Has the pandemic cleaned up our air? Answers could lie on your doorstep

STATE IMPACT PENNSYLVANIA Shari Hersh grew up in Philadelphia, hiking in Fairmount Park, biking along the Schuylkill River. She commutes to her job at Philadelphia Mural Arts by bike, and each day of the coronavirus shutdown she has either walked or biked the city's streets. She's noticed a significant change in the air. "Totally clear, it's so gorgeous," said Hersh, who's lived in the city for decades. "I don't remember it being clear like this day after day in my whole lifetime. You know how sometimes we have a high-pressure day, and it's really clear, it's like if it's rained the night before and there's no particulates, it's like it's washed it all away. But not day after day." A lot of people are talking about air quality these days, saying the sky looks bluer, the air smells fresher — there's just something different about it. Springtime and the COVID-19 shutdown began simultaneously, creating a pivotal moment for air quality and the scientists who study air pollution. While the coronavirus raged through cities and across the country, air quality researchers were granted the gift of a natural experiment, one that would be very difficult to replicate...

Editorial: Improving Essential ALCOSAN Infrastructure Boosts The Economy

PITTSBURGH TRIBUNE-REVIEW The Allegheny County Sanitary Authority has gotten the green light for its \$2 billion Clean Water Plan — a series of moves including expanding wastewater treatment volume and disinfection capacity as well as repairing and replacing sewer lines, diverting streams and adding pipes, diversion structures and tunnels. The move comes on the heels of brakes being thrown on the \$1 billion Pittsburgh International Airport renovation and the Penguins pulling out of the \$750 million Lower Hill District development, both citing the turbulent economic state amid coronavirus pandemic response. Say what you want about those other big-ticket projects, but the Alcosan plan is exactly the kind of investment that government and private companies alike should be evaluating and plunging forward to complete. Do we know what will happen with air travel in a year? No. We have no way of knowing what the long-term impact of sustained downturn to the airline industry will be. A 26-story office tower might have less appeal when people come back from working from home. But sewage and stormwater? We have every confidence that toilets will continue to flush and rain will continue to fall... That's why every leader and every candidate — Democrat and Republican — always stresses the importance of infrastructure development. They just seldom get around to actually doing it. This is the time to do it. A needed infrastructure project is stimulus to the economy and a lifeline to workers, and it has the added bonus of being a boon to the community and a responsible use of funds. The Alcosan project is not new. Its clearance came from a court modification of a consent decree with the federal Environmental Protection Agency that goes back to 2008. But every authority, every municipality, every county, every state agency has a list of those projects that don't make the cut to get done each year. Those projects all need a critical new look.

Pollution case against U.S. Steel dismissed

PITTSBURGH POST-GAZETTE A federal judge in Pittsburgh has dismissed a Clean Air Council lawsuit alleging U.S. Steel Corp. violated federal law by not reporting excess air pollution in the aftermath of two fires at its

Clairton Coke Works. A Dec. 24, 2018, fire destroyed pollution control systems at the coke works, but the Pittsburgh-based steelmaker continued to use unfiltered coke oven gas as fuel at the Clairton facility and its two Mon Valley steel mills in Braddock and West Mifflin, for 102 days. A second, smaller, fire occurred June 16, and also damaged pollution control equipment and caused excess emissions. The Washington, D.C.-based environmental organization alleged that the company was required to report the resulting unpermitted releases of hydrogen sulfide, benzene and other coke oven gasses under the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, commonly known as Superfund. But U.S. District Court Judge Marilyn Horan, in a decision filed Thursday, said that because emissions from the coke works and mills are regulated under the federal Clean Air Act, the company was exempted from the reporting requirements imposed by CERCLA. The Clean Air Council, represented in court by the Environmental Integrity Project, had argued that the reporting exemption does not apply to pollution emissions that are in violation of existing permits. According to Judge Horan's 11-page decision granting the company's request to dismiss the case, Congress did not specify that the Superfund reporting exemption applied only to permitted pollution emissions, thus the Superfund law "does not require that the air emissions comply with a Clean Air Act permit in order to be exempt." "Environmental stewardship is a core value at U. S. Steel," said Amanda Malkowski a U.S. Steel spokeswoman in an email response to a request for comment. "Following the December 24, 2018 Fire at our Clairton Plant, we made prompt notifications as required by our operating Permits and the Clean Air Act. We respect the Court's ruling that U. S. Steel made the appropriate notifications under ...

EPA: Union contract talks end; ratification vote looms

GREENWIRE Contract negotiations between EPA and its largest employee union have concluded, with the two sides reaching agreement on nearly all of the measure's articles. The contract has been a source of upheaval for the American Federation of Government Employees since last summer, when EPA imposed a new, more restrictive deal on the roughly 7,500 employees the union represents at the agency. That contract, which came after years of stop-start talks, curbed the union grievance process, reduced telework and forced union officials out of EPA office space. AFGE soon pressured for new bargaining talks at EPA, backed by several lawmakers on Capitol Hill. Relunched negotiations were announced in December and were meant to conclude by April, but that was delayed a month due to the COVID-19 pandemic. In a statement shared with E&E News, EPA spokeswoman Corry Schiermeyer said negotiations between the agency and AFGE were completed Friday. Fifteen articles in the contract were on the bargaining table. "EPA believes the negotiations ended successfully, with the parties reaching agreement on 13 of the 15 open articles. The agreed-upon articles include subjects important to our employees, including employee rights, leave, work schedules, and telework," she said, adding those articles will now go to the union for a ratification vote...

Don't Expect a Single Return-to-the-Office Day for Feds, White House Says

GOVERNMENT EXECUTIVE Federal agencies will take a piecemeal approach to bringing employees back to their offices in the wake of the novel coronavirus pandemic, according to a White House official, with decisions differing even within regions based on agency needs. Each agency will recall its workers based on mission needs, an Office of Management and Budget official told *Government Executive*, and that will likely occur slowly over a wide-ranging period. The decisions will be made in close consultation with local officials in each city and state, as spelled out in an OMB memorandum issued last month. Federal offices closed due to the coronavirus will not operate "like a snow day," the OMB official said, meaning they will not reopen all at once. Employees at the Defense Department, for example, who handle national security work and in some cases cannot access classified documents while out of the office, may be recalled more quickly than National Park Service personnel. The decisions will be driven by individual agency leaders, the official added, rather than centralized through the White House or the Office of Personnel Management...

PENNSYLVANIA

PHILADELPHIA INQUIRER

The latest coronavirus side effect: Lots more curbside trash, but less recycling The stay-at-home orders and business closures to stem the spread of the coronavirus pandemic have prompted a big spike in curbside trash, leaving a major hauler to threaten to raise rates. At the same time, bottlers can't get enough recycled glass for their operations. In Philadelphia, residential trash has jumped by nearly one-quarter during March and April, compared with the same period last year. That meant the city had to collect 22,000 tons of extra trash in that period, with more undoubtedly to come...

'Don't go to the beach,' health official tells Philly residents; Wolf questions reopening of Shore towns Gov. Tom Wolf on Monday questioned his counterparts' decisions to reopen beaches in two states, and Philadelphia's top health official bluntly told residents to stay away from the Shore on Memorial Day weekend. With the start of the unofficial summer season imminent, their pointed remarks underscored the tensions and frustrations over the pace of restoring the coronavirus-devastated economy even as virus-related death tolls continue to creep upward...

Delco now has the region's highest 14-day rate of COVID cases. It can't reopen until that falls dramatically. As 12 more Pennsylvania counties prepare Friday to enter the "yellow" stage of Gov. Tom Wolf's plan to gradually lift coronavirus restrictions, the state's southeastern corner is far from reaching a needed benchmark. And progress has been the slowest not in Philadelphia, but in its immediate neighbor to the west. Delaware County has the highest 14-day per capita rate of residents with COVID-19 of all the counties in the Philadelphia region, according to state data. As of Monday, Delaware County had 263 cases for every 100,000 residents over the last 14 days, slightly above Philadelphia's 251. But Delaware County's 14-day total of new cases has stayed steady for about a month, while those of Philadelphia and Bucks, Montgomery, and Chester Counties have dropped...

Delaware County Democrats just pulled a surprise move in the fight over a sewer authority sale Delaware County on Monday moved to dissolve the county's public wastewater authority and take over its responsibilities, escalating its efforts to block the \$276.5 million sale of the sprawling public sewer system to Aqua Pennsylvania. The county council introduced an ordinance to terminate the Delaware County Regional Water Authority, which it created in 1971, and to have the county assume responsibilities for its operations. The matter is set for a final vote on June 3...

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STATE IMPACT PENNSYLVANIA (NPR)

Has the pandemic cleaned up our air? Answers could lie on your doorstep Shari Hersh grew up in Philadelphia, hiking in Fairmount Park, biking along the Schuylkill River. She commutes to her job at Philadelphia Mural Arts by bike, and each day of the coronavirus shutdown she has either walked or biked the city's streets. She's noticed a significant change in the air. "Totally clear, it's so gorgeous," said Hersh, who's lived in the city for decades. "I don't remember it being clear like this day after day in my whole lifetime. You know how sometimes we have a high-pressure day, and it's really clear, it's like if it's rained the night before and there's no particulates, it's like it's washed it all away. But not day after day." A lot of people are talking about air quality these days, saying the sky looks bluer, the air smells fresher — there's just something different about it. Springtime and the COVID-19 shutdown began simultaneously, creating a pivotal moment for air quality and the scientists who study air pollution. While the coronavirus raged through cities and across the country, air quality researchers were granted the gift of a natural experiment, one that would be very difficult to replicate...

HARRISBURG PATRIOT NEWS

National gardening survey finds boom in planting for pollinators Planting for pollinators is in the thinking for a growing number of home gardeners, wildlife enthusiasts and conservationists, new research commissioned by the National Wildlife Federation has determined. Over the past three years, 64.1 million Americans — one in four adults — bought a plant because it was beneficial to butterflies, bee or birds, according to the 2020 National Gardening Survey conducted by the National Gardening Association and the University of New Hampshire Survey Center. "The new National Gardening Survey shows people across America are purposefully planting for wildlife, making a conservation difference where they live and advancing the wildlife gardening movement," said Mary Phillips, senior director of the NWF's Garden for Wildlife Program. "At the National Wildlife Federation, we hope even more people will find solace in wildlife gardening and plant with purpose, creating eco-friendly green space to relax, rejuvenate and get some much-needed outdoor time during these unprecedented times. While millions invite butterflies, birds and bees to their yards by replacing lawn with native plants, smaller habitat oases can also be created in backyards, porches, patios or even windowsills." The survey also found that 36.8 million or 14 percent of American adults purchased plants native to where they live in 2019. Also, 23.1 million or 9 percent of American adults converted part of their lawn to natural or wildflower landscape in 2019...

LANCASTER FARMING

Bay Foundation to Sue EPA Over Pennsylvania, New York Cleanup Plans The Chesapeake Bay Foundation plans to sue the Environmental Protection Agency for going too easy on Pennsylvania and New York. The suit will allege that the EPA approved the states' cleanup plans even though they would fall short of the mandates to be achieved by 2025. The EPA should either have required the states to design plans to meet the goals, or imposed consequences, the foundation said.

Under the plan approved by the EPA, Pennsylvania would achieve only three-quarters of its nitrogen commitment and underfund its bay program by over \$300 million a year, according to the foundation. Pennsylvania contributes the greatest share of pollution to the bay, much of it from farms, and New York is the farthest from the bay of any state in the watershed. The Bay Foundation used litigation in 2009 to force the EPA to create the current cleanup program. Since then, the EPA has only briefly imposed consequences on Pennsylvania, and the agency backed off when state announced a bay “reboot” in 2016. The coronavirus pandemic has placed an unforeseen strain on state finances, but that should not deter Pennsylvania and New York from providing safe rivers and streams for their residents, said Will Baker, the foundation’s president. “If you want to throw money at it, you can do that. If you want to do incentives or disincentives, you can do it that way,” Baker said. “We’re looking at a metric of clean water, not a metric of money.” Joining the Bay Foundation’s suit are the Maryland Watermen’s Association, a Virginia farmer and Maryland’s Anne Arundel County. The attorneys general of Maryland, Virginia and the District of Columbia have also filed notice of intent to sue the EPA over its approval of New York and Pennsylvania’s plans.

YORK DISPATCH

Three state AGs to sue EPA over PA’s, NY’s Chesapeake Bay pollution loads State attorneys general in Maryland, Virginia and the District of Columbia on Monday filed notice in court that they intend to sue the federal Environmental Protection Agency for failing to force Pennsylvania and New York to comply with a Chesapeake Bay pollution-reduction agreement. The EPA, under the Trump administration, has failed “to force Pennsylvania and New York State to meet their Chesapeake Bay cleanup obligations under a 2010 regional agreement with a deadline of 2025,” according to the Environmental Integrity Project. Maryland Attorney General Brian E. Frosh said both Pennsylvania and New York agreed to develop and implement plans to restore the health of the bay by 2025. “Under the Clean Water Act, EPA has a nondiscretionary duty” to ensure management plans are developed and implemented to conform with the bay’s total maximum daily load of nitrogen and phosphorus pollution, as well as to reduce the amount of sediment in the bay, according to Frosh’s news release. Eric Schaeffer, executive director of the Environmental Integrity Project, is a former EPA director of civil enforcement who said the administration of President Donald Trump “has really fallen down on its job to enforce the Chesapeake Bay cleanup plan.”...

PA ENVIRONMENT DIGEST BLOG (By PA DEP)

Chesapeake Bay Foundation, Other States Give Notice To EPA Of Intend To Sue Over Failure To Hold PA, New York Accountable For Meeting Bay Cleanup Milestones On May 18, the Chesapeake Bay Foundation and its partners filed a notice of intent to sue the federal Environmental Protection Agency (EPA) for its failure to require Pennsylvania and New York to develop implementation plans that will achieve the 2025 Bay restoration goals. Partners in our filing include the Maryland Watermen’s Association, Bobby Whitescarver (a farmer from Swoope, Virginia), and Anne Arundel County, Maryland. Underscoring the importance of holding EPA accountable, the Attorneys General in Maryland, Virginia, and the District of Columbia also filed a notice that they intend to sue EPA as well...

Penn State Extension Special Watershed Winds Newsletter Covers Stormwater, Stream Repair, Online Learning Opportunities, More The latest Watershed Winds newsletter from Penn State Extension features articles on-- ...

WASHINGTON, D.C.

WASHINGTON POST

Two states, D.C. plan to sue EPA for failing to enforce Chesapeake Bay cleanup plan Two states and the District of Columbia say they plan to sue the Environmental Protection Agency for failing to enforce a court-ordered agreement to dramatically lower pollution in the Chesapeake Bay, the nation’s largest estuary. In a notice of intent to sue, the attorneys general of Maryland, Virginia and the District claimed Monday that EPA Administrator Andrew Wheeler stood by as New York and Pennsylvania allowed levels of pollution that violated the plan into rivers that feed into the Chesapeake. Under an agreement signed by six states in the bay watershed — also including West Virginia and Delaware — the federal agency is tasked with policing the cleanup. Before the agreement was signed in 2009, each jurisdiction

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The most dangerous hurricanes are now far more likely because of climate change, study shows A new study provides observational evidence that the odds of major hurricanes around the world — Category 3, 4 and 5 storms — are increasing because of human-caused global warming. The implications of this finding, published Monday in the Proceedings of the National Academy of Sciences, are far-reaching for coastal residents, insurers and policymakers, as the most intense hurricanes cause the most damage. The study, by a group of researchers at the National Oceanic and Atmospheric Administration and the University of Wisconsin at Madison, builds on previous research that found a trend, though not a statistically robust one, toward stronger tropical cyclones. Tropical cyclones are a category of storms including hurricanes and typhoons worldwide. The findings are consistent with what scientists expect to happen as the world warms, given that hurricanes get their energy from warm ocean waters and water vapor in the air, among other factors. Importantly, the observed, statistically significant trends match projections seen in computer model simulations of a warming world...

Citizen naturalists keep watch over at-risk dragonflies, butterflies, bugs

WEST VIRGINIA

CHARLESTON GAZETTE-MAIL

Justice accelerates reopenings, announces dates for malls, bars, casinos, LVL to restart Gov. Jim Justice on Monday announced a rapid acceleration of his multi-week plan to bring West Virginia back online, announcing reopenings of shopping malls, bars, casinos, Limited Video Lottery, museums and other entities between Thursday and June 5. "We have got to open ourselves back up," Justice said during his daily state COVID-19 briefing. Justice announced that indoor shopping malls will be permitted to reopen on Thursday, the date he previously had announced permission for freestanding specialty retailers to reopen...

WEST VIRGINIA PUBLIC BROADCASTING

Justice announces reopening dates for bars, casinos and more Gov. Jim Justice has announced a flurry of reopenings while continuing to urge social distancing and the wearing of facemasks. "It's a bad situation and probably the toughest situation of my life," Justice said Monday when speaking about the balance between health concerns and economic activity. "And I've been through a lot of tough stuff, and I'm able to handle the tough stuff because I've been conditioned. I've been weathered." Even while easing restrictions, Justice said state leaders will continue to monitor the spread of coronavirus and react if they identify a spike. "This is a fluid situation. Some of these are subject to change," Justice said...

WOODLANDS ONLINE

Texas and West Virginia Lead 18-State Coalition Urging the Ninth Circuit to Block Order Delaying Oil and Gas Pipeline Projects Nationwide AUSTIN, TX – Texas Attorney General Ken Paxton and West Virginia Attorney General Patrick Morrisey led 16 other states in a friend-of-the-court brief filed with the United States Court of Appeals for the Ninth Circuit, decrying a district court’s decision to enjoin not just the Keystone Pipeline project, but also a nationwide permit that would advance new oil and gas pipelines in every state, regardless of their length, purpose or minimal environmental effects. The decision was not just overbroad, it was not requested by any parties in this case. “Maintaining a stable electrical grid is absolutely vital to the public, and the need for consistent, reliable electricity has been met by the growing production of oil and gas. The successful production and transportation of oil and gas is lifeblood for the states and none of it is possible without a dynamic pipeline network,” said Attorney General Paxton. “The district court incorrectly placed a burden on all pipelines, and that decision must be stayed in order to ensure that ongoing construction continues smoothly and no communities that rely on these growing pipelines are left without utilities vital to their practical and financial survival.” The coalition of 18 states argue that the disruption, delay, and costs associated with the infrastructure projects demanded in the district court’s decision are significantly more costly and time-consuming, with some becoming completely unfeasible. No amicus states were notified that their own infrastructure projects would be burdened, or even included in this case, which was purported to involve only the Keystone Pipeline. The unrecoverable costs involved with complying with the district court’s order would cause irreparable harm to States and some projects would likely not survive the setbacks imposed by the court..

MARYLAND

BALTIMORE SUN

Maryland, Chesapeake Bay Foundation, Anne Arundel say they'll sue EPA over failure to enforce cleanup goals Maryland and the Chesapeake Bay Foundation put the EPA on notice Monday that they will sue over what they claim is the agency’s failure to force Pennsylvania and New York to live up to their 2025 goals in restoring the Chesapeake Bay. Maryland Attorney General Brian E. Frosh sent a letter of intent to the EPA, saying it must act to enforce the requirement for pollution management plans or face a federal lawsuit. Frosh said Maryland is being joined in the letter by Virginia and the District of Columbia. The bay foundation sent a separate letter to the EPA on behalf of Anne Arundel County, the Maryland Watermen’s Association and Virginia farmer Bobby Whitescarver. “EPA has failed to uphold its Clean Water Act responsibilities. It has failed to implement the Chesapeake Clean Water Blueprint. This has been ongoing for years, well before the COVID-19 pandemic, and the damage done will last far beyond the pandemic,” CBF President William C. Baker said in a statement released Monday morning. Ensuring the implementation of the Blueprint has been CBF’s top priority for over 10 years. It is essential the courts hold EPA accountable. There is no doubt that if Pennsylvania and New York fail to do their fair share, the Bay will never be saved.”...

WYPR - BALTIMORE'S NPR STATION

Traffic Is Way Down, Due To Lockdowns, But Air Pollution? Not So Much With traffic dramatically down in recent months, the United States is in the middle of an accidental experiment showing what happens to air pollution when millions of people stop driving. The air is clearer. But the pollution declines aren't nearly as large as early indications suggested, according to an NPR analysis of six years of Environmental Protection Agency data. In some cities, the amount of one pollutant, ozone, has barely decreased compared to levels over the last five years, despite traffic reductions of more than 40 percent. Ground-level ozone, or smog, occurs when the chemicals emitted by cars, trucks, factories and other sources react with sunlight and heat. NPR analyzed more than half a million air pollution measurements reported to the EPA from more than 900 air monitoring sites around the country. We compared the median ozone levels detected this spring with levels found during the comparable period over the past five years. Our analysis revealed that, in the vast majority of places, ozone pollution decreased by 15% or less, a clear indication that improving air quality will take much more than cleaning up tailpipes of passenger cars...

WBAL-TV 11 BALTIMORE

Harford County offers relief grants for small businesses, farmers Starting Monday, small business that have two to 50

employees can apply for \$7,500 in relief. The funds can be used toward social-distancing expenses, purchasing personal protective equipment, payroll and any other operating costs. Farmers who own 10 or more acres can apply for \$2,500 in grants. Applications are available on the [county's website](#).

FOX BALTIMORE

[AG Frosh, Anne Arundel County intend to sue EPA over Chesapeake Bay restoration](#) BALTIMORE, Md. (WBFF) – Maryland Attorney General Brian E. Frosh, joined by the Attorneys General of Virginia and the District of Columbia, today filed a Notice of Intent to sue the Environmental Protection Agency over its failure to require Pennsylvania and New York to develop and implement plans to achieve 2025 Chesapeake Bay restoration goals. Under the Clean Water Act, EPA has a nondiscretionary duty to “ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain” the Bay Total Maximum Daily Load (TMDL). The TMDL is a comprehensive “pollution diet” aimed at restoring clean water in the Bay States that sets limits for nitrogen and phosphorus pollution, in addition to reductions in sediment. EPA’s recent evaluation of each Bay state’s Watershed Improvement Plan (WIP) concluded that Maryland, Virginia and the District of Columbia all will attain their respective necessary load reductions by 2025. EPA also concluded that the plans submitted by Pennsylvania and New York were deficient, falling short of nutrient reduction goals and lacking in sufficient funding. EPA has not, however, required Pennsylvania or New York to develop or implement plans that fully meet the pollution reduction goals. “The Chesapeake Bay is one of our country’s most valuable natural resources,” said Attorney General Frosh. “Restoring the health of the Bay will take a coordinated, multistate effort with every state sharing the burden. EPA has abandoned its responsibility to regulate and manage the efforts of the Bay states. Together, we fully intend to hold EPA accountable and require it to perform its regulatory duty.” ..

WBOC-TV SALISBURY/DELMARVA

[Md., Va. and DC Attorneys General Announce Plans to Sue EPA Over Bay Pollution](#) BALTIMORE– Maryland Attorney General Brian E. Frosh, joined by the Attorneys General of Virginia and the District of Columbia, on Monday filed a notice of intent to sue the Environmental Protection Agency over its alleged failure to require Pennsylvania and New York to develop and implement plans to achieve 2025 Chesapeake Bay restoration goals. The coalition of attorneys general said that under the Clean Water Act, EPA has a nondiscretionary duty to “ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain” the Bay Total Maximum Daily Load (TMDL). The TMDL is a comprehensive “pollution diet” aimed at restoring clean water in the bay states that sets limits for nitrogen and phosphorus pollution, in addition to reductions in sediment. The coalition said EPA’s recent evaluation of each bay state’s Watershed Improvement Plan (WIP) concluded that Maryland, Virginia and the District of Columbia all will attain their respective necessary load reductions by 2025. EPA also concluded that the plans submitted by Pennsylvania and New York were deficient, falling short of nutrient reduction goals and lacking in sufficient funding. The attorneys general for Maryland, Virginia and DC alleged that EPA has not, however, required Pennsylvania or New York to develop or implement plans that fully meet the pollution reduction goals...

ANNAPOLIS PATCH

[Anne Arundel Co. Sues EPA For Failing To Protect Chesapeake Bay](#) ANNAPOLIS, MD — Anne Arundel County Executive Steuart Pittman said the county will be suing the U.S. Environmental Protection Agency for what he called a failure to enforce the Clean Water Act and protect the Chesapeake Bay. The county joins the Chesapeake Bay Foundation, the District of Columbia and the states of Maryland and Virginia in suing the federal agency. Anne Arundel County has more than 500 miles of shoreline along the Chesapeake Bay and its tributaries. Residents and tourists regularly visit the area to enjoy fresh seafood and engage in recreational opportunities. Travel and tourism spending in the county is [estimated](#) to exceed \$3.5 billion annually, providing support for more than 30,000 workers. The county has invested more than \$500 million in the last decade in upgrades to its wastewater treatment plants and stormwater infrastructure to protect the bay. "Anne Arundel County residents have invested far too much in the Chesapeake Bay restoration effort to watch from the sidelines as the EPA abandons its obligations," said Anne Arundel County Executive Steuart Pittman in a statement. "Since the federal government refuses to lead, placing our local economy, our residents, and our very way of life at risk, I must ask the courts to intervene and make them lead."...

ANNAPOLIS CAPITAL GAZETTE

Maryland, Chesapeake Bay Foundation, Anne Arundel say they'll sue EPA over failure to enforce cleanup goals Maryland and the Chesapeake Bay Foundation put the EPA on notice Monday that they will sue over what they claim is the agency's failure to force Pennsylvania and New York to live up to their 2025 goals in restoring the Chesapeake Bay. Maryland Attorney General Brian E. Frosh sent a letter of intent to the EPA, saying it must act to enforce the requirement for pollution management plans or face a federal lawsuit. Frosh said Maryland is being joined in the letter by Virginia and the District of Columbia. The bay foundation sent a separate letter to the EPA on behalf of Anne Arundel County, the Maryland Watermen's Association and Virginia farmer Bobby Whitescarver. "EPA has failed to uphold its Clean Water Act responsibilities. It has failed to implement the Chesapeake Clean Water Blueprint. This has been ongoing for years, well before the COVID-19 pandemic, and the damage done will last far beyond the pandemic," CBF President William C. Baker said in a statement released Monday morning. "Ensuring the implementation of the Blueprint has been CBF's top priority for over 10 years. It is essential the courts hold EPA accountable. There is no doubt that if Pennsylvania and New York fail to do their fair share the Bay will never be saved."...

CHESAPEAKE BAY JOURNAL

States, Chesapeake Bay Foundation threaten to sue EPA over Bay cleanup The 37-year-old Chesapeake Bay restoration effort descended into finger pointing and threats of lawsuits on Monday, as the region struggles with the likelihood that it will miss yet another cleanup deadline. Attorneys general for Maryland, Virginia and the District of Columbia joined with the Chesapeake Bay Foundation in saying they would sue the U.S. Environmental Protection Agency over its failure to force greater pollution reduction actions from Pennsylvania and New York. Both New York and Pennsylvania are far behind in meeting their 2025 Bay cleanup goals, and neither has produced plans showing how they would close that gap. The attorneys general contend that their own states have made large investments to curb pollution to the nation's largest estuary, but that the EPA needs to use its legal authority to compel their northern neighbors to do significantly more. "Maryland has engaged in heroic efforts and made huge sacrifices," said Maryland Attorney General Brian Frosh. "But this is a struggle we cannot win without the commitment of our neighbors and more importantly without the engagement of the United States Environmental Protection Agency. The EPA has flat-out walked away from that responsibility." EPA Administrator Andrew Wheeler shot back that the threatened legal action was "without merit" and that "all the states have room for improvement, and all the states need to make more progress on their commitments for 2025." Wheeler spoke at a news conference announcing the EPA's award of \$6 million in funding to support implementation of agricultural runoff controls in areas of the Bay watershed where it would have the greatest impact, with most of it — \$3.7 million — going to Pennsylvania. "We are trying to work with everyone in trying to solve the problems for the Bay while other people are out there trying to create headlines and discontent with their state partners," Wheeler said...

Family paves way for conserving farm, woods near Rappahannock When the Goodloe family bought a bucolic, 216-acre property in Stafford County, VA, officials were planning to build a beltway around the bustling nearby city of Fredericksburg. That made the land purchase along a major traffic artery a fitting financial decision — especially for a family in the business of laying asphalt. But that beltway was never constructed and, nearly 25 years later, the Goodloes have come to value the land that makes up Snowden Farm for more than its development potential. Late last year — in a move the matron of the family asphalt business found a little ironic — the Goodloes had the property protected from development through an easement with the Northern Virginia Conservation Trust...

ASSOCIATED PRESS (Md.)

Maryland, Virginia, DC Intend To Sue EPA On Chesapeake Bay Pollution ANNAPOLIS, Md. (AP) — Maryland, Virginia and the District of Columbia filed a notice of intent to sue the Environmental Protection Agency for failing to require two other states to implement plans to cut pollution in the Chesapeake Bay, officials said Monday. EPA Administrator Andrew Wheeler said the agency believes the claim "has no merit." Maryland Attorney General Brian Frosh and Virginia Attorney General Mark Herring filed the notice of intent to sue with District of Columbia Attorney General Karl Racine. They say the EPA has failed to require Pennsylvania and New York to develop and implement plans to achieve 2025 Chesapeake Bay restoration goals as required by an agreement by states in the watershed of the nation's largest estuary. "The Chesapeake Bay is one of our country's most valuable natural resources," Frosh, a Democrat, said. "Restoring the health of the Bay will take a coordinated, multistate effort with every state sharing the burden. EPA has abandoned its responsibility to regulate and manage the efforts of the Bay states. Together, we fully intend to hold EPA

accountable and require it to perform its regulatory duty.” The officials contend EPA has a duty to ensure states that are part of the Chesapeake Bay Agreement meet what’s known as a “pollution diet” that sets limits for nitrogen and phosphorous pollution and reduces sediment. They say a recent EPA evaluation found that Maryland, Virginia and the District of Columbia will meet their reductions by 2025, but plans from Pennsylvania and New York fall short of reduction goals and lack sufficient funding. They criticize President Donald Trump’s administration for letting the two states avoid the agreement...

VIRGINIA

VIRGINIA MERCURY

Commentary: On Chesapeake Bay pollution, Virginia should also take a look in the mirror With a Chesapeake Bay cleanup deadline bearing down in less than five years, Virginia Attorney General Mark Herring yesterday joined his counterparts in Maryland and the District of Columbia in filing a notice of intent to sue the Environmental Protection Agency over its failure to enforce a landmark 2010 bay restoration agreement. Virginia is right to take legal action, because the Trump Administration EPA has been derelict in its duty to crack down on pollution from Pennsylvania (the Bay’s biggest polluter) and New York State. However, Virginia should not only point the finger at others. The commonwealth should also look in the mirror at its own bay cleanup efforts, which have fallen short in some important areas... Despite its progressive reputation, Gov. Ralph Northam’s administration has also been soft on another form of agricultural pollution in the Bay, manure from the livestock industry in the Shenandoah Valley. This is a problem, because farm runoff – as a category — is the largest single source of pollution in the Chesapeake Bay....

Virginia, Maryland, D.C. to sue EPA over failure to enforce pollution reduction targets in Chesapeake Bay Four and a half months after the U.S. Environmental Protection Agency’s top Chesapeake Bay official called the goals of the decades-old Chesapeake Bay Program merely “aspirational,” Virginia is joining Maryland and the District of Columbia in legal action that aims to force the EPA to enforce state pollution reduction plans. On Monday, Attorneys General Mark Herring of Virginia, Brian Frosh of Maryland and Karl Racine of Washington, D.C. notified the EPA that they intend to sue Administrator Andrew Wheeler for violating the federal Clean Water Act by failing to ensure that Pennsylvania and New York meet water pollution standards set by the Chesapeake Bay Watershed Agreement in 2014. A separate notice of intent to sue was also sent simultaneously by the Chesapeake Bay Foundation, the Maryland Watermen’s Association, Anne Arundel County in Maryland and Swoope, Va. cattle farmer and conservationist Robert Whitescarver. “As administrator of the agreement, the EPA has to enforce its terms,” said Herring in a press call Monday morning. “Instead the Trump EPA is rubber-stamping plans that are plainly inadequate and allowing some watershed states to do less than they’re supposed to.”...

With new energy regime only months away, regulators grapple with gas expansion proposal Three years after private backers secured state regulators’ approval to build a major new natural gas plant in Charles City County, the fate of the facility has become a key factor in a controversial proposal by Virginia Natural Gas to expand its pipeline infrastructure throughout Northern and Central Virginia. “The big issue here is risk, and how are we going to allocate the risk and who’s going to be holding the bag if this plant doesn’t get built,” said Judge Mark Christie during a Wednesday hearing conducted via Skype. The facility, known as C4GT, has been in the works since 2016, when private developers first applied to the State Corporation Commission for a certificate of public convenience and necessity. A combined-cycle natural gas plant, the facility is expected to produce some 1,060 megawatts of power — about two-thirds the size of Dominion Energy’s most recent natural gas plant, the Greenville Power Station, which is capable of powering some 400,000 homes...

COURTHOUSE NEWS SERVICE

States to Sue EPA Over Chesapeake Bay Restoration Failures RICHMOND, Va. (CN) — A group of states and environmentalists said Monday they will sue the Environmental Protection Agency based on claims that a long-running plan to tackle pollution in Chesapeake Bay is not being enforced well enough to meet its 2025 goals. Two notice of intent to sue letters issued by the attorneys general of Virginia, Maryland and the District of Columbia and the Chesapeake Bay

Foundation give the EPA 60 days to address a failure “to ensure that the bay jurisdictions will meet their pollution reduction commitments” or face a lawsuit. The letters ask the agency to enforce the so-called Chesapeake Clean Water Blueprint, a plan that aims to limit the total maximum daily loads, or TMDLs, of pollution being dumped into the bay. The interstate agreement designed to achieve and maintain essential water quality goals for the bay will lead to the failure of the bay jurisdictions and EPA to meet their water quality commitments by 2025 and leave the bay impaired,” the Chesapeake Bay Foundation’s letter states. “With less than five years until the deadline, it is time for the administrator to honor his commitment to the citizens of the United States.”...

13 NEWS NOW NORFOLK

Chesapeake Bay Foundation to sue EPA over pollution enforcement concerns NORFOLK, Va. — On Monday morning, the Chesapeake Bay Foundation announced their impending lawsuit against the United States Environmental Protection Agency (EPA). These agencies usually profess similar goals, but in its letter to the EPA, the Chesapeake Bay Foundation (CBF) said it was concerned they had “failed to ensure that the Bay jurisdictions will meet their pollution reduction commitments by 2025.” The foundation’s president, William Baker, said if the EPA doesn’t enforce regulations on all of the states that share the watershed, the environmental progress made by law-abiding states would be wasted. “Ensuring the implementation of the Blueprint has been CBF’s top priority for over 10 years,” he wrote in a release. “It is essential the courts hold EPA accountable. There is no doubt that if Pennsylvania and New York fail to do their fair share the Bay will never be saved.” The release said this lawsuit followed on the heels of a 2009 case where CBF sued the EPA over the same issue: failure to enforce the Clean Water Act. The 2009 lawsuit ended with a blueprint that outlined two-year incremental goals for each state involved, stretching to an ultimate goal of having a healthier bay in 2025. Monday, the Chesapeake Bay Foundation said those goals had been modified and weakened for years, with none of the agreed-on consequences from the EPA...

VIRGINIA PUBLIC RADIO

Beaches to Reopen This Week in Va. Beach, Task Force Working on School Reopening Plans Governor Ralph Northam says the first weekend of Virginia’s Phase One reopening went well. He also announced Monday that beaches in Virginia Beach will reopen later this week. In a Monday afternoon news conference, Northam thanked people and businesses who have followed the reopening guidelines. He reminded Virginians that just because some areas of the state are reopening does not mean the crisis is over. Northam said beaches at Virginia Beach will be allowed to reopen for recreational use starting Friday. Social distancing will still be enforced and parking will be limited to 50% of capacity. Tents, speakers and group sports will not be allowed. The mayor of Virginia Beach, who also spoke during the news conference, said “beach ambassadors” will educate beach goers about social distancing. Mayor Bobby Dyer said everyone needs to be committed to being “safe and proactive.” Northam also said Monday that a team of education leaders is meeting regularly to develop next steps and guidelines for resuming school in the fall. The group includes representatives from early childhood education, K-12 and higher ed. Northam said getting students back into the classroom safely is an equity issue. “Right now there are about 550,000 families in Virginia that don’t have access to broadband. So while it may sound reasonable and encouraging that we are educating our children through virtual learning, there are a number of children around Virginia that don’t have that opportunity,” Northam said...

New Sea Bird Habitat a Success Bird lovers are celebrating this spring with the arrival of terns and gulls that traditionally nest on an island off the Hampton Roads Bridge and Tunnel complex. Construction threatened to displace them, but the state has created new habitat that’s proving popular.

Populations of sea birds have declined steadily as development deprived them of nesting sites along the coast. They prefer islands where they’re safe from predators according to Mike Parr, president of the American Bird Conservancy. “There are cats, raccoons, other species which will kill these birds and their chicks,” he explains. When the state bulldozed the birds’ usually nesting site, as part of the Hampton Roads Bridge and Tunnel expansion, bird lovers organized and asked the state to provide new habitat. Governor Northam stepped in, and the Department of Game and Inland Fisheries proposed using Ft. Wool – a small island near where the birds had been nesting. They cleared rats and trees from the site, brought in sand and gravel to make the birds comfortable, placed decoys on the land and broadcast bird calls through portable speakers...

ENERGY NEWS NETWORK

Conservation group plots solar potential for retired Appalachian coal mine land *The Nature Conservancy is seeking a*

partner to help develop solar on up to 13,000 acres of cleared minelands. As a steward of Appalachia's lands and waters, Brad Kreps is fluent in the language of the region's rivers, trees and the unique creatures that call them home. His vocabulary is far more limited, however, when it comes to the intricacies of installing viable solar energy within that landscape. That gap prompted the Nature Conservancy employee to invite experts to join his nonprofit's evolving conversation about turning retired and abundant mined lands in southwest Virginia — and beyond — into renewable energy generators. "Our strength is the protection and management, with a focus on forests and wildlife," said Kreps, director of the nonprofit's Clinch Valley Program in Abingdon, Virginia. "We know enough about solar to know that to be successful we need developers to help us unlock the potential."

MISCELLANEOUS

GOVERNMENT EXECUTIVE

Don't Expect a Single Return-to-the-Office Day for Feds, White House Says Federal agencies will take a piecemeal approach to bringing employees back to their offices in the wake of the novel coronavirus pandemic, according to a White House official, with decisions differing even within regions based on agency needs. Each agency will recall its workers based on mission needs, an Office of Management and Budget official told *Government Executive*, and that will likely occur slowly over a wide-ranging period. The decisions will be made in close consultation with local officials in each city and state, as spelled out in an OMB memorandum issued last month. Federal offices closed due to the coronavirus will not operate "like a snow day," the OMB official said, meaning they will not reopen all at once. Employees at the Defense Department, for example, who handle national security work and in some cases cannot access classified documents while out of the office, may be recalled more quickly than National Park Service personnel. The decisions will be driven by individual agency leaders, the official added, rather than centralized through the White House or the Office of Personnel Management...

TSP Announces Upcoming COVID-19 Loans, Withdrawals Officials with the federal government's 401(k)-style retirement savings program announced last week that new loan and withdrawal options enabled by the passage of the Coronavirus Aid, Relief and Economic Security Act will be available to federal employees and retirees this summer. The CARES Act, signed by President Trump in March, offers a number of avenues by which participants in 401(k) and equivalent programs can seek relief. The Thrift Savings Plan has already implemented some of those provisions, including the suspension of required minimum distributions and waiving or delaying tax penalties associated with a variety of existing withdrawals and loans, provided a participant has experienced negative consequences of the coronavirus pandemic. On May 14, the TSP announced that new temporary withdrawal and loan programs authorized by the CARES Act would be implemented this summer...

How to Motivate Young Workers to Save For Retirement For most young workers, planning for retirement typically isn't a priority. But as the nation's fiscal outlook darkens, the likelihood that Congress will scale back Social Security benefits in the coming years only grows. Without early planning, most simply won't be able to maintain the standard of living they expect in retirement. Whether you want to educate your young employees about planning for retirement or ensure a secure future for your child, here are four tips to help you reinforce the importance of retirement planning and inspire them to act...

BLOOMBERG ENVIRONMENT

States Protest EPA Failure to Enforce Chesapeake Bay Cleanup Virginia, Maryland, and the District of Columbia told the EPA on Monday it would face a lawsuit if it doesn't force Pennsylvania and New York to comply with the legally binding cleanup plan for the Chesapeake Bay. The two states and Washington D.C., joined by the nonprofit Chesapeake Bay Foundation, said the Environmental Protection Agency has "abdicated its responsibility" to ensure that Pennsylvania and New York meet their share of restoring the bay by 2025. In their notices of intent to sue, the states and the nonprofit group allege the plans Pennsylvania and New York have in place to meet their nitrogen reduction goals by 2025 fall short of what is required to restore the 64,000-square-mile watershed. The EPA was given 60 days to respond. The attorneys

general of Maryland, Virginia, and the District of Columbia sent a notice to EPA Administrator Andrew Wheeler separately from the one by Chesapeake Bay Foundation, the Maryland Watermen's Association, and Anne Arundel County, Md. But they had similar messages. EPA's failure to hold Pennsylvania and New York accountable undermines the integrity of the federal-state partnership, Chesapeake Bay Foundation President Will Baker said in a statement. "It is up to the courts to compel EPA to do its job. Clean water for our children and grandchildren will be the reward."...

EPA Estimates 500 Facilities to Collect Data on PFAS Releases About 500 industrial or federal facilities will collect information this year to document the volume of 172 types of PFAS they release, dispose, or recycle, the EPA said in a final rule released Monday. The 172 chemicals are the first per- or polyfluoroalkyl substances, called PFAS, that the facilities have had to report to the Environmental Protection Agency's toxics release inventory. Facilities that release 100 or more pounds of the so-called forever chemicals must report the data. The first reports are due July 1, 2021. The facilities will collectively spend about \$1 million a year to gather the information, the EPA said. The rule (RIN: 2070-AK63) implements a requirement in the National Defense Authorization Act for Fiscal Year 2020 and largely repeats information the agency released earlier this year...

EPA Putting Budget at Risk by Not Assessing Programs: Watchdog The EPA has put taxpayer dollars at risk by not thoroughly analyzing possible threats to many of its biggest programs, the agency's internal watchdog said on Monday. Affected programs include drinking water, air quality, civil enforcement, compliance monitoring, and Superfund, according to a report by the Environmental Protection Agency's Office of Inspector General. The cover of the report had a graphic that showed \$5.7 billion for these programs in fiscal 2018 was "at risk" because no risk assessments at the program level were completed. "It is a lot of money," said Michael Davis, director of the efficiency directorate within the OIG's Office of Audit and Evaluation. "That's why this is an impactful audit that people need to pay attention to." The report didn't say whether any funds were wasted or misspent. Randy Holthaus, the manager of the OIG project, said the watchdog didn't find any evidence of willful abuse. Instead, the report said that a type of risk assessment that is required wasn't completed. EPA officials are required to conduct program reviews that assess the effectiveness of internal controls, detect weaknesses and deficiencies, and provide a sound basis for the annual Federal Managers' Financial Integrity Act assurance letters that must be submitted by program offices to the EPA administrator...

EPA Closing In on Setting Toxic Gas Limits for Chemical Plants The EPA is one step away from revising limits for the toxic ethylene gas that chemical manufacturers use as a building block to make products such as adhesives, textiles, plastics, detergents, and antifreeze. The White House Office of Management and Budget on May 15 began the interagency review of the rule (RIN: 2060-AT85), which the Environmental Protection Agency first published as a proposal in December. An interagency review is usually a last step before a rule or policy is released to the public...

EPA Gives More Time for Feedback on Plan to Dispose of Coal Ash The EPA is again extending its public comment period for its proposal to create a federal coal ash disposal permitting program...

GREENWIRE / E&E NEWS

EPA: Union contract talks end; ratification vote looms Contract negotiations between EPA and its largest employee union have concluded, with the two sides reaching agreement on nearly all of the measure's articles. The contract has been a source of upheaval for the American Federation of Government Employees since last summer, when EPA imposed a new, more restrictive deal on the roughly 7,500 employees the union represents at the agency. That contract, which came after years of stop-start talks, curbed the union grievance process, reduced telework and forced union officials out of EPA office space. AFGE soon pressured for new bargaining talks at EPA, backed by several lawmakers on Capitol Hill. Relunched negotiations were announced in December and were meant to conclude by April, but that was delayed a month due to the COVID-19 pandemic. In a statement shared with E&E News, EPA spokeswoman Corry Schiermeyer said negotiations between the agency and AFGE were completed Friday. Fifteen articles in the contract were on the bargaining table. "EPA believes the negotiations ended successfully, with the parties reaching agreement on 13 of the 15 open articles. The agreed-upon articles include subjects important to our employees, including employee rights, leave, work schedules, and telework," she said, adding those articles will now go to the union for a ratification vote...

Chesapeake Bay: Wheeler slams lawsuit threat, divvies up cleanup funds EPA Administrator Andrew Wheeler said lawsuits over Chesapeake Bay cleanup appear to have no merit and laid out the agency's plans for dividing up funds to

clean up the watershed. "From what we can tell, the claim has no merit, there's no actionable item until at least 2025," Wheeler said on a call with reporters. Wheeler was referring to today's announcement by Maryland, Virginia, the District of Columbia and the Chesapeake Bay Foundation of their intent to sue the agency for not forcing Pennsylvania to stick to cleanup goals. That move is tied to EPA's responsibility to enforce a "pollution diet," or total maximum daily load (TMDL), for the Chesapeake Bay, which is surrounded by a 64,000-square-mile watershed that crosses six states and D.C. and is home to more than 17 million people. In 2010, D.C. and all six states that contribute nitrogen and phosphorus pollution to the bay agreed on a "pollution diet" for the estuary, with pollution reduction targets set for 2025. The states recently submitted plans to EPA to reach those TMDL targets. EPA found Pennsylvania's plans would account for only 75% of its goal...

Chesapeake Bay: States, enviros tee up lawsuits over pollution Two states, one city and an environmental group today signaled their plans to sue the federal government for not forcing Pennsylvania to stick with a plan to clean up the Chesapeake Bay. In a letter to EPA Administrator Andrew Wheeler, attorneys general for Maryland, Virginia and the District of Columbia said the agency has failed to force the Keystone State to meet its targets for cutting pollution flowing into the nation's largest estuary. The letter was also addressed to a pair of EPA regional administrators and U.S. Attorney General William Barr. EPA didn't immediately respond to a request for comment about the legal action. The Chesapeake Bay Foundation filed a separate notice of intent to sue, which was also signed by the Maryland Watermen's Association, a Maryland county and a Virginia farmer. The states' and the foundation's move today escalates tensions over EPA's responsibility to enforce a "pollution diet," or total maximum daily load (TMDL), for the Chesapeake Bay, which is surrounded by a 64,000-square-mile watershed that crosses six states and the District of Columbia and is home to more than 17 million people.

Air pollution: EPA advances draft update for toxic gas standards Up against a tight timetable and facing intense scrutiny, EPA is moving ahead with the final draft of updated standards for ethylene oxide and other hazardous organic chemicals after getting a barrage of feedback from Congress, industry and environmental groups. The agency forwarded the draft Friday to the White House regulations office for a routine review, according to a government tracking website. Under a court-supervised timetable, the update is now supposed to be finished by May 29, although EPA could seek a fresh extension...

Chemicals: EPA eases guidelines for food industry EPA is providing flexibility to the food industry for chemical ingredients used in preparing comestibles due to shortages amid the pandemic. According to the guidance, food manufacturers and prepared food providers are allowed "to use an unregistered source of any of the active ingredient(s) listed below, provided that the new, alternate source is similar to the current source." Those industries can use products containing isopropyl alcohol — a rubbing alcohol agent — to sanitize surfaces that come into contact with food or are used in food preparation, the agency said. Other active chemical ingredients they can use include ethanol, hydrochloric acid, sodium hypochlorite, hydrogen peroxide, hypochlorous acid, citric acid, L-lactic acid and glycolic acid. EPA's notice expands a temporary guidance issued in April, which allowed manufacturers to change an active ingredient needed to make a disinfectant without waiting for agency approval...

EPA: Billions of dollars at risk without assessments — IG EPA's internal watchdog found the agency had not properly conducted risk assessments at its program level, potentially exposing billions of dollars. The EPA Office of Inspector General said in a report released today that EPA had not done risk assessments for 20 of its programs that cost over \$5.7 billion overall in fiscal 2018. Without those "program-level risk assessments," EPA might not find the programs' "significant risks," said the report. "As a result, the Agency might not establish the necessary internal control procedures to address risks, potentially resulting in an ineffective and inefficient program," concluded the report, which was signed by EPA IG Sean O'Donnell. The report did note that EPA has been "proactive" in reviewing risks at the strategic level. That kind of evaluation provides a big picture look that cuts across the agency as it evaluates how it can achieve strategic objectives...

EPA: Watchdog to eye chemical board's security, pandemic response An independent watchdog is evaluating whether a chemical agency is following cybersecurity reporting requirements and how it is handling decisions during the coronavirus pandemic. EPA's Office of Inspector General announced last week that it would look into how the U.S. Chemical Safety and Hazard Investigation Board implemented security policies and practices, which are required under

the Federal Information Security Modernization Act of 2014. CSB is an independent agency tasked with reviewing chemical incidents and making nonbonding recommendations to those facilities. This report is part of the Office of Inspector General's fiscal 2020 plan. "The anticipated benefit of this project is to improve the CSB's business practices and accountability," according to the notice. Investigators also plan to review CSB's ability to make risk assessments amid the pandemic. "We have also asked our contractor to inform us of instances where CSB lacks the information to make risk-based decisions for providing security of the agency's network during the COVID-19 disease," according to the notice.

EPA packs 'economic relief' for industry into stove rule Two months after rejecting the wood stove industry's bid for regulatory relief, EPA has changed course, accompanied by an unusual written pledge to temporarily downplay enforcement of stricter emission standards that took effect Saturday. In a draft rule released after normal business hours Friday, EPA proposed letting retailers sell new stoves and other wood-fired home heating systems that don't meet the tighter emission limits through the end of November to make up for the economic disruption stemming from the COVID-19 crisis. "More than 90 percent of manufacturers and retailers of wood heaters are small businesses, many of which have experienced significant losses in retail sales," EPA Administrator Andrew Wheeler said in a statement Friday. "This action will provide economic relief to these employers as America begins to reopen its businesses."...

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